**HON'BLE SRI JUSTICE GODA RAGHURAM**

**W.P.NO. 5908 OF 2006**

**DATED: 24.03.2006**

Between:

Sri Dasanjaneya Swami Vari Devasthanam

And another

… Petitioners

and

The Commissioner of Endowments,

Department of Endowments and another

… Respondents

**HON'BLE SRI JUSTICE GODA RAGHURAM**

**W.P.NO. 5908 OF 2006**

**ORAL ORDER:**

The petitioners are aggrieved that the 2nd respondent issued proceedings dated 24.2.2006 inviting applications for appointment of Board of Trustees for Sri Dasanjaneya Swami Vari Devasthanam, Eluru Road, Vijayawada, under Section 15 of the A.P. Charitable and Religious Institutions and Endowments Act, 1987 (for short 'the Act').

The 1st petitioner is a Devasthanam and the 2nd petitioner a person claiming to be the Managing Trustee of the 1st petitioner-Devasthanam. According to the 2nd petitioner, Sri Dasanjaneya Swami Vari Temple was initially founded some time in the year 1936 on Eluru Road, Vijayawada. The temple was registered under the erstwhile Endowments Act, 1966. There was also Sri Kodandarama Swamy Temple on the first floor of Sri Dasanjaneya Swami Vari Temple and the Deity was installed on 24.6.1987.

It appears that in a road widening undertaken by the Vijayawada-Guntur-Tenali Urban Development Authority to the Eluru Road, the temple in furtherance of the road widening project had surrendered an extent of 1532.37 sq.ft. As a consequence, the shops constructed by the temple were demolished and a portion of the site abutting the temple was also taken over. The petitioner applied for alternative land on the northern side which was a Government vacant land and for payment of compensation, for the purposes of construction of a temple and installation of the Deities.

Eventually, according to the petitioner, an alternative site was allotted. The petitioner claims to have reconstructed the shops and the temple and that the Deities were also installed at his instance and by his efforts. The petitioner asserts that

without notice or opportunity to him, the 2nd respondent issued proceedings on 24.2.2006 calling for applications for appointment of a Board of Trustees to the Devasthanam and that on account of these proceedings, the petitioner would be ousted from the management of the temple, despite being a member of the Founder's family of the ancient Sri Dasanjaneya Swamy Vari Temple and a founder in his own right of the renovated temple.

The petitioner has not made any application to the respondents seeking recognition as a member of the Founder's family or as a Founder. Realizing this lacuna, it is stated on behalf of the petitioner today that the petitioner would now submit an appropriate application to the competent authority seeking recognition either as a Member of the Founder's family or as a Founder himself and that the respondents be directed to consider such application expeditiously.

Having regard to the facts and circumstances and the chronology of the events narrated above, the writ petition is disposed of enabling the petitioner to make an appropriate application to the competent authority, seeking recognition either as a Member of the Founder's family or as a Founder of Sri Dasanjaneya Swami Vari Devasthanam, Eluru Road, Vijayawada. On such on application being made, the respondents shall consider the same expeditiously and pass orders, in any event not later than three months from the date of receipt of such an application.

Any appointment of Board of Trustees made to Sri Dasanjaneya Swami Vari Temple, Eluru Road, Vijayawada, pursuant to the invitation to such appointment dated 24.2.2006 issued by the 2nd respondent, shall be subject to the outcome of the petitioner's application.

On the analysis above, the writ petition is disposed of. No order as to costs.

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**GODA RAGHURAM, J**

**Date: 24.03.2006**

cvm